

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SONNY LOUIS HOLLINS,

Plaintiff,

v.

KING COUNTY JAIL, *et al.*,

Defendants.

CASE NO. C05-658P

REPORT & RECOMMENDATION

On May 11, 2005, the court granted plaintiff leave to amend his complaint, in this action brought pursuant to 42 U.S.C. § 1983. (Dkt. #6). The court identified the flaws in the complaint and gave plaintiff 30 days, or until June 10, 2005, to respond. (*Id.*) The court advised petitioner that failure to respond could result in the dismissal of his habeas petition. (*Id.*) As of the date of this Report & Recommendation, plaintiff has yet to respond or to seek an extension of time in which to do so. Accordingly, plaintiff's complaint should be dismissed without prejudice. This dismissal should count as a "strike" under 28 U.S.C. § 1915(g). A proposed Order is attached.

DATED this 14th day of July, 2005.



MONICA J. BENTON
United States Magistrate Judge

REPORT & RECOMMENDATION